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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,899	03/24/2004	Sang-Eun Nam	2060-3105	7413

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EXAMINER
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SAMS, MATTHEW C

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/808,899

Applicant(s)

NAM, SANG-EUN

Examiner

Matthew C. Sams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/27/2006 has been entered.

### ***Response to Amendment***

2. Claim 18 has been canceled.
3. The Terminal Disclaimer filed on 8/25/2006 has been accepted and the Double Patenting rejection has been withdrawn.
4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Information Disclosure Statement***

5. The information disclosure statement filed on 1/2/2007 has been considered.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 4-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Howald (US-6,014,793).

Regarding claim 1, Howald teaches a locking mechanism (Fig. 5 & 6) comprising:

a plurality of spring (Figs. 5 & 6 [4]) loaded locking members; (Figs. 5 & 6 [3])

a lock release device (Figs. 5 & 6 [10]) operatively coupled to the plurality of locking members to simultaneously move the plurality of locking members wherein each of the plurality of locking members moves in a substantially different direction; (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

a plurality of latching members (Fig. 5 [12]) being securely gripped by the plurality of locking members (Fig. 5 [3]), wherein the lock release device (Figs. 5 & 6 [10]) is in partial frictional contact with the plurality of locking members under the spring bias of each of the locking members, (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

wherein each latching member being released from the grip of the corresponding locking member when the lock release device is forced in frictional sliding contact with the plurality of locking members against the spring bias of each of the locking members. (Fig. 5, Fig. 6, Col. 3 line 51 through Col. 4 line 36 and Col. 5 lines 53-57)

Regarding claim 2, the examiner views claim 2 to be an intended use of the locking mechanism taught above by Howald, therefore claim 2 is rejected for the same reasons set forth above in claim 1.

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Regarding claim 4, Howald teaches wherein the lock release device includes a first surface adapted to match the curvature of a corresponding second surface on each locking member. (Figs. 5 & 6 [3a, 10, 10a & 10b])

Regarding claim 5, Howald teaches wherein each of the first and second surfaces has an inclined configuration. (Fig. 5 [3a] & Fig. 6 [10b])

Regarding claim 6, Howald teaches wherein the lock release device is spring-loaded. (Figs. 5 & 6 [10 & 11])

Regarding claim 7, Howald teaches wherein at least one locking member is adapted to move in a first direction against its spring bias. (Figs. 5 & 6 [3 & 4])

Regarding claim 8, Howald teaches wherein the lock release device is adapted to move in a second direction against its spring bias. (Figs. 5 & 6 [10 & 11])

Regarding claim 9, Howald teaches wherein the second direction is substantially perpendicular to the first direction. (Figs. 5 & 6 and Col. 3 lines 62 through Col. 4 line 3)

Regarding claim 10, Howald teaches wherein the first and second inclined surfaces are in frictional sliding contact when the lock release device is forced to move in the second direction. (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36)

Regarding claim 11, Howald teaches a locking mechanism comprising:

a first and second spring loaded locking member; (Figs. 5 & 6 [3 & 4])

a lock release device (Figs. 5 & 6 [10]) operatively coupled to the first and the second locking members (Figs. 5 & 6 [3 & 4]) to simultaneously move the first locking member in a first direction and the second locking member in a second direction

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wherein the first direction and the second direction are substantially different; (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

a first and a second latching member (Fig. 5 [12]) being securely gripped by the first and second locking members (Fig. 5 [3]), wherein the lock release device (Figs. 5 & 6 [10]) is in partial frictional contact with the first and the second locking members under the spring bias of each of the locking members, (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

wherein each latching member being released from the grip of the corresponding locking member when the lock release device is forced in frictional sliding contact with the first and second locking members against the spring bias of each of the locking members. (Fig. 5, Fig. 6, Col. 3 line 51 through Col. 4 line 36 and Col. 5 lines 53-57)

Regarding claim 12, the limitations of claim 12 are rejected as being the same reason set forth above in claim 4.

Regarding claim 13, the limitations of claim 13 are rejected as being the same reason set forth above in claim 5.

Regarding claim 14, the limitations of claim 14 are rejected as being the same reason set forth above in claim 6.

Regarding claim 15, Howald teaches wherein the first locking member (Figs. 5 & 6 [3]) is adapted to move in the first direction against its spring bias and the second locking member (Figs. 5 & 6 [3]) is adapted to move in the second direction against its spring bias. (Figs. 5 & 6 [4] and Col. 3 line 51 through Col. 4 line 36)

Regarding claim 16, Howald teaches wherein the lock release device is adapted to move in a third direction against its spring bias. (Figs. 5 & 6 [10 & 11])

Regarding claim 17, Howald teaches wherein the third direction is substantially perpendicular to each of the first direction and the second direction. (Figs. 5 & 6 and Col. 3 lines 62 through Col. 4 line 3)

Regarding claim 19, Howald teaches wherein the first and second inclined surfaces are in frictional sliding contact when the lock release device is forced to move in the third direction. (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36)

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howald in view of Hughes et al. (US-6,625,425 hereinafter Hughes).

Regarding claims 3 & 20, Howald teaches the limitations of claims 1 & 11 above, including a locking mechanism comprising:

a first and second spring loaded locking member; (Figs. 5 & 6 [3 & 4])

a lock release device (Figs. 5 & 6 [10]) operatively coupled to the first and the second locking members (Figs. 5 & 6 [3 & 4]) to simultaneously move the first locking member in a first direction and the second locking member in a second direction

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wherein the first direction and the second direction are substantially different; (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

a first and a second latching member (Fig. 5 [12]) being securely gripped by the first and second locking members (Fig. 5 [3]), wherein the lock release device (Figs. 5 & 6 [10]) is in partial frictional contact with the first and the second locking members under the spring bias of each of the locking members, (Fig. 5, Fig. 6 and Col. 3 line 51 through Col. 4 line 36) and

wherein each latching member being released from the grip of the corresponding locking member when the lock release device is forced in frictional sliding contact with the first and second locking members against the spring bias of each of the locking members. (Fig. 5, Fig. 6, Col. 3 line 51 through Col. 4 line 36 and Col. 5 lines 53-57) Howald differs from the claimed invention by not explicitly reciting each of the locking members include at least one locking leg adapted to grip the corresponding latching member to secure the battery cover to the terminal body.

In an analogous art, Hughes teaches a mobile terminal body with a latching assembly for securing a battery compartment cover to the mobile terminal body. (Col. 1 lines 8-13 and Fig. 2) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the wireless communication device of Hughes after modifying it to incorporate the locking mechanism of Howald. One of ordinary skill in the art would have been motivated to do this since it is important for a battery cover to securely attach to the housing of a wireless communication device so that the battery is retained in the inner compartments and foreign matter does not enter



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the inside of the device (Hughes Col. 1 lines 52-55) and Howald's locking mechanism is built to withstand the rigors of supporting a watchband.

Further, since claims 1, 2, 4-17 and 19 are considered broader because than claims 3 & 20 because they do not breath life into the mobile terminal body intended use statement, claims 1, 2, 4-17 and 19 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Howald in view of Hughes for similar reasons listed above under the 35 U.S.C. 102(b) Rejection heading.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS

1/19/2007



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